

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3162-01  
Bill No.: HB 1406  
Subject: Roads and Highways; Transportation; Transportation Department.  
Type: Original  
Date: January 16, 2008

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Bill Summary: This proposal establishes the "drunk driving victim memorial sign program."

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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## **FISCAL ANALYSIS**

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### **ASSUMPTION**

Officials at the **Missouri Department of Transportation (MoDOT)** assume this bill will require MoDOT to establish rules and regulations for the drunk driving victim memorial sign program. MoDOT will be responsible for establishing rules and regulations for the sign application process, the sign qualification process, the procedure for sign dedication, and procedures for replacement or restoration of signs that are damaged or stolen. MoDOT will also be responsible for determining placement, location and spacing of the signs. The total cost of two signs, one for each direction will be \$1,040. Based on statistics from the safety division, Missouri averages about 270 alcohol related fatalities per year. If signs are made in each instance, this would result in a total cost of \$280,800 per year. There should be no fiscal impact to MoDOT, because a “sponsoring fee” may be charged to cover costs in designing, constructing, placing and maintaining the signs, as well as MoDOT’s costs in administering the program.

**Oversight** assumes no fiscal impact to MoDOT or the State Road Fund as a result of this proposal since the proposal allows MoDOT to charge a fee to cover all costs associated with the signs.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year’s legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
<b>ROAD FUND</b>			
<u>Income</u> - Department of Transportation			
Sponsoring Fee	\$234,000	\$280,800	\$280,800
<u>Costs</u> - Department of Transportation			
Expenses of creating & maintaining the signs	<u>(\$234,000)</u>	<u>(\$280,800)</u>	<u>(\$280,800)</u>
<b>ESTIMATED NET EFFECT ON STATE ROAD FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2009 (10 Mo.)	 FY 2010	 FY 2011
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill establishes David's Law which requires the Department of Transportation to establish and administer a drunk driving memorial sign program. The department must adopt, by rules and regulations, program guidelines for the application and placement of signs including, but not limited to, the sign application and qualification process, a procedure for the dedication of signs, and a procedure for the replacement or restoration of any signs that are damaged or stolen.

Any person may apply to the department to sponsor a drunk driving victim memorial sign in memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. A person who is not a member of the victim's immediate family may also make a request if he or she submits the written consent of a member of the victim's immediate family. The department will charge the sponsoring party a fee to cover the department's cost in designing, constructing, erecting, and maintaining the sign.

FISCAL DESCRIPTION (continued)

Signs will remain in place for 10 years and may be renewed for another 10 years after payment of the appropriate maintenance fees.

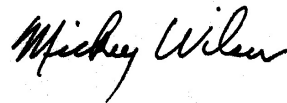
The signs developed by the department will feature the words "Drunk Driving Victim!", the initials of the deceased victim, the month and year in which the victim was killed, and the phrase "Who's Next?".

All private roadside memorials or markers commemorating the death of a drunk driving victim are prohibited. No person, other than a department employee or designee, may erect a drunk driving victim memorial sign.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Missouri Department of Transportation  
Office of the Secretary of State



Mickey Wilson, CPA  
Director  
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